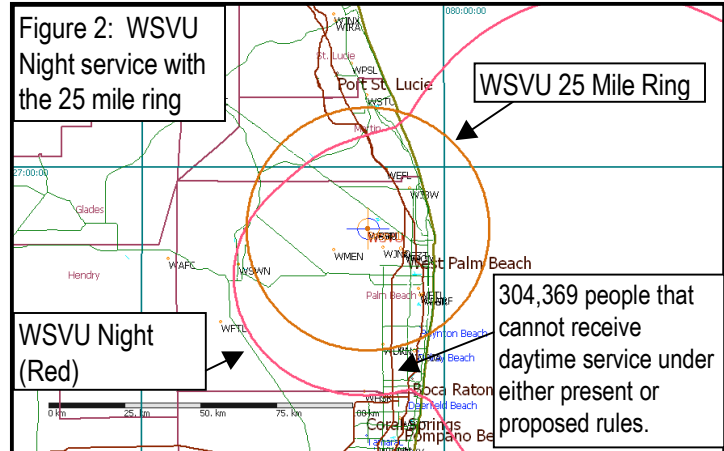


In the Matter of)
Revitalization of the AM Radio Service) **MM Docket No. 13-249**
)

Figure 1: WSVU 2mV Contours

This map displays the 2mV contours for WSVU, comparing Day (Blue) and Night (Red) coverage. The map is centered on West Palm Beach, FL, with a scale bar indicating distances up to 75 km. The Day contour (Blue) is significantly larger and more circular, covering a much wider area than the Night contour (Red), which is more elongated and concentrated near the station. The map includes labels for various locations such as St. Lucie, Port St. Lucie, West Palm Beach, and Boca Raton. A legend in the bottom right corner identifies the Blue line as 'WSVU Day' and the Red line as 'WSVU Night'.

When we add the 25 mile ring that has been proposed (Figure 2), we see that some of the affected nighttime population falls within the 25 mile ring, but most do not. Specifically, the 25 mile ring would include about 222,004 affected nighttime listeners that could receive a translator broadcast under the proposed changes. However, 304,369 people would still be left without daytime service under the proposed new changes.



In adopting the original report and order, the Commission noted that many AM stations would benefit from FM translator coverage because they had poor nighttime coverage. It was reasoned that a translator could provide nighttime service for stations lacking an effective signal at night. Here we have a case for a station that lacks an effective signal in the day. If translators benefit the public and AM broadcasters by providing effective nighttime coverage, isn't WSVU also entitled to have effective coverage both day and night as well?

The wording of the rules, both existing and proposed, seem to arbitrarily prefer the daytime audience over the nighttime audience. Unless the Commission has some reason as to why nighttime listeners should not be entitled to receive FM translator coverage, then the wording of the 74.1201(g) should be revised to include the greater of the 2mV contour, either day or night, or the 40km radius.

If it should prove to be impossible to change the wording of 74.1201(g), then the staff could be directed to consider waiver requests for fill-in FM translators specifying nighttime 2mV contours in addition to daytime 2mV contours.

Respectfully Submitted,

Kyle Magrill
22 February, 2017